

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2004-98

February 18, 2004

PUBLIC UTILITIES COMMISSION  
Mid-Period Review Investigation  
of Bangor Hydro-Electric Company's  
ARP SQI Mechanism

NOTICE OF INVESTIGATION

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WELCH, Chairman; DIAMOND and REISHUS, Commissioners

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**I. SUMMARY**

In this Order we initiate the Service Quality Index (SQI) mid-period review investigation contemplated in Bangor Hydro-Electric Company's Alternative Rate Plan (the BHE ARP). As discussed below, we initiate this investigation at this early stage to provide the parties with adequate opportunity to work collaboratively and attempt to resolve, by agreement rather than full litigation, any issues surrounding service quality performance and measurement under the BHE ARP 2000.

**II. SCOPE OF INVESTIGATION**

On June 11, 2002, the Commission approved a Stipulation entered into by Bangor Hydro-Electric Company (BHE or Company), the Office of The Public Advocate (OPA) and Georgia Pacific Company, which provided for an Alternative Rate Plan (ARP) for BHE to be in effect through December 31, 2007. Similar to other ARPs approved by the Commission, the BHE ARP contains an SQI component. The BHE ARP establishes service quality and reliability standards for seven criteria and provides for penalties should BHE fail to meet the established criteria in any calendar year, beginning January 1, 2003, during the ARP.

The BHE ARP calls for a SQI Mid-Period Review to commence on July 1, 2004. The parties to the BHE stipulation agreed to consider, as part of the mid-period review, replacing the MPUC complaint ratio with a new indicator, such as periodic customer surveys targeted to customers who have had recent contact with the Company. The parties also agreed to consider adding an appropriate indicator to measure power quality. To the extent the parties were able to reach agreement on either a new or replacement indicator, it would take effect on January 1, 2005.

To ensure that all parties have an opportunity to pursue the collaborative effort contemplated in the BHE ARP stipulation, and to present any unresolved issues to the Commission in sufficient time for implementation on January 1, 2005, we initiate the Mid-Period Review investigation at this time.

**III. INTERVENTION**

As the subject of this investigation, BHE is hereby made a party at the outset of this proceeding. Any other person desiring to participate in this matter as a party should file a Petition to Intervene in accordance with Section 722 of the Commission's Rules of Practice no later than March 2, 2004. Objections to petitions to intervene must be made at, or prior to, the initial case conference scheduled below.

**IV. CASE CONFERENCE**

The initial case conference in this matter has been scheduled for March 10, 2004 at 1:30 p.m. in the Commission's Hearing Room. The following matters will be considered:

1. Objections to Petitions to Intervene;
2. The issues to be addressed during this proceeding; and
3. A schedule for processing the case

**v. INITIAL COLLABORATIVE SESSION**

The initial collaborative session will take place on March 10, 2004 immediately following the conclusion of the initial case conference.

**VI. SERVICE OF NOTICE**

A copy of this Notice shall be served on all parties and interested persons in Docket No. 2001-410.

Dated at Augusta, Maine, this 18th day of February, 2004.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.